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EXAMINER

BRUCKART, BENJAMIN R

ART UNIT PAPER NUMBER

2155

DATE MAILED: 08/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/701,194

Applicant(s)

BUSUIOC, NICOLAE MARIUS

Examiner

Benjamin R. Bruckart

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 7-15, 17 and 27-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7-15, 17 and 27-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **Detailed Action**

#### **Status of Claims:**

Claims 7-15, 17, 27-31 are pending in this Office Action.

Claims 1-6, 16, 18-26 remain cancelled.

Claims 7, 12, 17, 27-28, 30-31 are amended.

The 35 U.S.C. 112, second paragraph rejection is withdrawn in light of applicant's amendment.

### **Foreign Priority**

Receipt is acknowledged of papers submitted on August 27, 2000 under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file. Attention is directed to the fact that the date for which foreign priority is claimed is not the date of the filed application acknowledged in the oath or declaration. The priority date of 6/23/98 is given priority.

### **Response to Arguments**

Applicant's arguments filed in the amendment filed 11/3/05, have been fully considered but are not persuasive. See Remarks below.

#### **Applicant's invention as claimed:**

Claims 7-11, 17, 30-31 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No 6,085,186 by Christianson et al (referenced as "Chris").

Regarding claim 7, a distributed platform for coordinating user access to information provided by content service providers (Chris: col. 2, lines 39-49; content service providers=sources), the platform comprising:

- (a) a user interface (Chris: col. 4, lines 38, 44-45);
- (b) a first advertising board for advertising services of information brokers (Chris: col. 7, lines 35-46; query router relevance data; col. 14, lines 41- col. 15, line 16);
- (c) a first searching agent for searching the first advertising board for services based on a request from the user (Chris: col. 7, lines 34-42; query router ranks and selects relevant sources);
- (d) a second advertising board for advertising the services of at least two separate information content suppliers (Chris: col. 4, lines 46-48; the wrapper DB is a composite of wrappers from separate sources);
- (e) a second searching agent for searching the second advertising board for available services based on results of the search of the first advertising board and the request from the user (Chris: col. 7, lines 46-55; second agent=aggregation engine), and
- (f) means for providing the results of the search of the second advertising board from the second advertising board to the first advertising board, and transferring the results from the first advertising board to the user interface through the first searching agent (Chris: col. 4, lines 46-50; col. 7, lines 52-56).

Regarding claim 8, a distributed platform as in claim 7, wherein the first and second advertising boards are distributed (Chris: Fig. 3 and col. 11, lines 11-17).

Regarding claim 9, a distributed platform as in claim 7, wherein a plurality of first and second advertising boards are provided each of which advertises the services available in a particular market (Chris: col. 7, lines 65- col. 8 line 20; relevant sources and conceptual class).

Regarding claim 10, a distributed platform as in claim 7, wherein means are provided for interrogating the user to determine specific preferences (Chris: col. 4, lines 31-36; Fig. 2B; col. 7, lines 1-7).

Regarding claim 11, a distributed platform as in claim 10, wherein the specific preferences comprise where and/or how and/or when the information found by the second searching agent, is to be communicated to the user (Chris: col. 6, lines 17-39; where is the URL; Fig. 2A and 2B).

Regarding claim 17, a distributed platform for coordinating user access to information provided by content service provider (Chris: col. 2, lines 39-49), the platform comprising:

- (a) a user interface for receiving a request from a user (Chris: col. 4, lines 38, 44-45);
- (b) a content service provider advertising board for advertising services of at least two separate content service providers (Chris: col. 4, lines 46-48; the wrapper DB is a composite of wrappers from separate sources);
- (c) a first searching agent for searching the content service provider advertising board for services, based on the request from the user (Chris: col. 7, lines 46-55; second agent=aggregation engine);
- (d) means for providing the results of the search of the content service providers advertising board to the user (Chris: col. 4, lines 46-50);
- (e) a broker advertising board for advertising the services of brokers that act as intermediaries between the content service provider and the user (Chris: col. 7, lines 35-46; query router relevance data; col. 14, lines 41- col. 15, line 16); and
- (f) a second searching agent for searching the broker advertising board for available services based on the request from the user (Chris: col. 7, lines 34-42; query router ranks and selects relevant sources),

wherein the second searching agent identifies a suitable broker based on the request from the user and the first searching agent is associated with that identified broker so that the first searching agent searches the content service provider advertising board for services based on the identified broker as well as the request from the user (Chris: col. 7, lines 65- col. 8, line 20).

Regarding claim 30, a distributed platform for processing a user request for information (Chris: col. 2, lines 39-49), the platform comprising:

(a) a user interface for receiving a user request for information (Chris: col. 4, lines 38, 44-45);

(b) a service agent board for advertising services of a plurality of service agents (Chris: col. 7, lines 35-46; query router relevance data; col. 14, lines 41- col. 15, line 16);

(c) a customer agent for searching the service agent board and selecting at least one of service agent from the plurality of service agents based on the received user request (Chris: col. 7, lines 34-42; query router ranks and selects relevant sources); and

(d) a customer provider agent board for advertising the services of at least two separate information content providers (Chris: col. 4, lines 46-48; the wrapper DB is a composite of wrappers from separate sources);

wherein the at least one selected service agent searches for and selects at least one information content provider from the customer provider agent board, and the at least one selected information content provider provides information based on the received user request to the at least one selected service agent which in turn provides the information to the customer agent (Chris: col. 7, lines 46-55; second agent=aggregation engine that formats the query for the sources and receives responses based on the first query).

Regarding claim 31, a distributed platform for co-coordinating user access to information provided by content service providers (Chris: col. 2, lines 39-49), the, the platform comprising:

(a) a user interface for receiving a request from a user (Chris: col. 4, lines 38, 44-45);

(b) a first advertising board for advertising services of information brokers (Chris: col. 7, lines 35-46; query router relevance data; col. 14, lines 41- col. 15, line 16);

(c) a first searching agent for searching the first advertising board and selecting a particular information broker based on the request from the user (Chris: col. 7, lines 34-42; query router ranks and selects relevant sources);

(d) a second advertising board for advertising the services of providers information content suppliers (Chris: col. 4, lines 46-48; the wrapper DB is a composite of wrappers from separate sources);

(e) a second searching agent for searching the second advertising board based on the request from the user, the second searching agent being selected by the selected information broker (Chris: col. 7, lines 46-55; second agent=aggregation engine);

wherein the results of the search of the second advertising board are provided from the second searching agent to the first searching agent, and then transferred from the first searching agent to the user interface (Chris: col. 4, lines 46-50).

**Claims 12-15, 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent No 6,085,186 by Christianson et al (referenced as "Chris") in view of U.S. Patent No. 5,682,482 by Burt et al.**

Regarding claim 12,

The Chris reference teaches a distributed platform as in claim 7 involving finance (col. 6, line 22-34). The Chris reference fails to teach a banking agent.

However, the Burt reference teaches a banking agent is provided for monitoring all financial transactions that take place as a result of the request from the user, between the information brokers and the at least two separate information content suppliers (Burt: col. 5, lines 1-10, lines 19-26) in order to facilitates the supplying of services offered by a network while allowing for the rapid introduction of new technology and new service applications (Burt: col. 2, lines 44-54).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the distributed platform as taught by Chris to include a banking agent as taught by Burt in order to allow the supplying of services offered by a network while allowing for the rapid introduction of new technology and new service applications (Burt: col. 2, lines 44-54).

Regarding claim 27, a distributed platform as in claim 12 in which the first searching agent monitors the user interface for an acceptance message which is transferred to the information content supplier selected from the second advertising board by way of the information broker selected from the first advertising board (Burt: col. 6, lines 1-29; message).

Regarding claim 28, a distributed platform as in claim 27 in which the selected information content supplier forwards transaction details to the banking agent, said details identifying the information broker and the information broker forwards additional transaction details to the banking agent to cause a billing agent to bill the requesting user (Burt: col. 5, lines 19-26).

Regarding claim 29, a distributed platform as in claim 27 in which the content supplier causes launch of an execution agent to effect delivery of the selected service to the requesting user (Burt: col. 6, lines 41-43).

Regarding claim 13, a distributed platform as in claim 12, wherein each user has an account that is monitored by the banking agent and is up-dated as soon as response to a request for information is accepted for delivery to the user (Burt: col. 5, lines 19-26; col. 6, lines 14-22).

Regarding claim 14, a distributed platform as in claim 1, wherein a marketing agent is provided for setting up the first and second advertising boards and subsequent boards introduced onto the platform (Burt: col. 7, lines 9-21; col. 9, lines 4-9).

Regarding claim 15, a distributed platform as in claim 14, wherein the marketing agent arranges the boards according to the type of services being marketed thereon (Chris: col. 14, lines 42-65).

### **REMARKS**

Applicant has made a minor amendment specifying the second agent retrieves from “at least two separate sources” to the independent claims and a few clarifying amendments to some dependents. The examiner believes Christianson still reads on the claimed limitations and has updated citations as well as explanations. The examiner suggests further defining boards.

#### **The Applicant Argues:**

The Christianson reference fails to disclose the features of claim 1 as amended.

**In response**, the examiner respectfully submits:

The Examiner has clarified and defined the claim components to the prior art. The examiner maintains the Christianson reference anticipates the claimed invention. Christianson does teach an agent searching a board with information from at least two sources as cited above. The wrapper DB is a composite of wrappers from a plurality of information sources. The advertising board for advertising broker services is the relevance data used by the query router for ranking and selecting sources whose value is greatest based on the request. The broker is the information source identified with highest relevance.

### **Prior Art**

U.S. Patent No. 6,289,325 by Nakamura et al teaches search requests and messages in a database for nodal hierarchal search.

U.S. Patent No. 6,286,002 by Axaopoulos et al teaches search requests and product information storage for a virtual mall between selling and buying entities

### **Conclusion**

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R. Bruckart whose telephone number is (571) 272-3982. The examiner can normally be reached on 8:00-5:30PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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